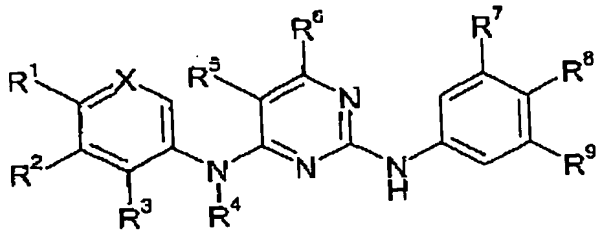
Amendments to the Claims:

Listing of Claims:

1. (original): A method of treating or preventing a condition susceptible to treatment with an ALK inhibiting agent which comprises inhibiting ALK or a gene fusion thereof with a compound of formula I



(I)

wherein

X is $=CR^0-$ or $=N-$;

each of R^0, R^1, R^2, R^3 and R^4 independently is hydrogen; hydroxy; C_1-C_8alkyl; C_2-C_8alkenyl; C_3-C_8cycloalkyl; C_3-C_8cycloalkyl-C_1-C_8alkyl; hydroxyC_1-C_8alkyl; C_1-C_8alkoxyC_1-C_8alkyl; hydroxyC_1-C_8alkoxyC_1-C_8alkyl; arylC_1-C_8alkyl which optionally may be substituted on the ring by hydroxy, C_1-C_8alkoxy, carboxy or C_1-C_8alkoxycarbonyl;

or R^3 and R^4 form together with the nitrogen and carbon atoms to which they are attached a 5 to 10 membered heterocyclic ring and comprising additionally 1, 2 or 3 heteroatoms selected from N, O and S;

or each of R^1, R^2 and R^3, independently, is halogen; halo-C_1-C_8alkyl; C_1-C_8alkoxy; halo-C_1-C_8alkoxy; hydroxyC_1-C_8alkoxy; C_1-C_8alkoxyC_1-C_8alkoxy; aryl; arylC_1-C_8alkoxy; heteroaryl; heteroaryl-C_1-C_4alkyl; 5 to 10 membered heterocyclic ring; nitro; carboxy; C_2-C_8alkoxycarbonyl; C_2-C_8alkylcarbonyl; $-N(C_1$-C_8alkyl$)C(O)$ C_1-C_8alkyl; $-N(R^{10})R^{11}$; $-CON(R^{10})R^{11}$; $-SO_2N(R^{10})R^{11}$; or $-C_1$-C_4-alkylene-$SO_2N(R^{10})R^{11}$; wherein each of R^{10} and R^{11} independently is hydrogen; hydroxy; C_1-C_8alkyl; C_2-C_8alkenyl; C_3-C_8cycloalkyl; C_3-C_8cycloalkyl-C_1-C_8alkyl; C_1-C_8alkoxyC_1-C_8alkyl; hydroxyC_1-C_8alkoxyC_1-C_8alkyl; hydroxyC_1-C_8alkyl; (C_1-C_8alkyl)-carbonyl; arylC_1-C_8alkyl which optionally may be substituted on the ring by hydroxy, C_1-C_8alkoxy, carboxy or C_2-C_8alkoxycarbonyl; or 5 to membered heterocyclic ring;

or R^1 and R^2 form together with the C-atoms to which they are attached aryl or a 5 to 10 membered heteroaryl residue comprising one or two heteroatoms selected from N, O and S; or

each of R^5 and R^6 independently is hydrogen; halogen; cyano; C_1-C_8alkyl; halo-C_1-C_8alkyl; C_2-C_8alkenyl; C_2-C_8alkynyl; C_3-C_8cycloalkyl; C_3-C_8cycloalkylC_1-C_8alkyl; C_5-C_{10}arylC_1-C_8alkyl;

each of R^7, R^8 and R^9 is independently hydrogen; hydroxy; C_1-C_8alkyl; C_2-C_8alkenyl; halo-C_1-C_8alkyl; C_1-C_8alkoxy; C_3-C_8cycloalkyl; C_3-C_8cycloalkylC_1-C_8alkyl; arylC_1-C_8alkyl; -Y-R^{12} wherein Y is a direct bond or O and R^{12} is a substituted or unsubstituted 5, 6 or 7 membered heterocyclic ring comprising 1, 2 or 3 heteroatoms selected from N, O and S; carboxy; (C_1-C_8alkoxy)-carbonyl; -N(C_1-$_8$alkyl)-CO-$NR^{10}R^{11}$; -$CONR^{10}R^{11}$; -N(R^{10})(R^{11}); -$SO_2N(R^{10})R^{11}$; R^7 and R^8 or R^8 and R^9, respectively form together with the carbon atoms to which they are attached, a 5 or 6 membered heteroaryl comprising 1, 2 or 3 heteroatoms selected from N, O and S; or a 5 or 6 membered carbocyclic ring.

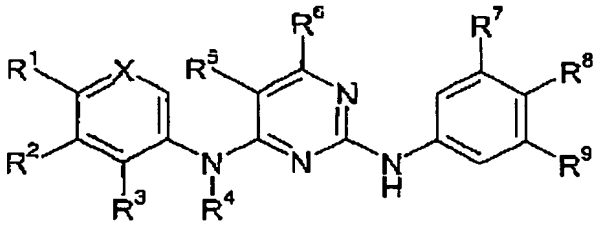
in free form or salt form.

2. (original): A method according to claim 1 wherein at most one of R^1, R^2 or R^3 is -$CON(R^{10})R^{11}$; or -$SO_2N(R^{10})R^{11}$.

3. (original): A method of claim 1 wherein the condition is a proliferative disease.

4. (original): A method of claim 1 wherein a gene fusion containing ALK is inhibited.

5. (currently amended): ~~Use of~~ A method for the treatment of a hematological or neoplastic disease comprising administering a compound of formula I



(I)

wherein

X is =CR^0- or =N-;

each of R^0, R^1, R^2, R^3 and R^4 independently is hydrogen; hydroxy; C_1-C_8alkyl; C_2-C_8alkenyl; C_3-C_8cycloalkyl; C_3-C_8cycloalkyl-C_1-C_8alkyl; hydroxyC_1-C_8alkyl; C_1-C_8alkoxyC_1-C_8alkyl; hydroxyC_1-C_8alkoxyC_1-C_8alkyl; arylC_1-C_8alkyl which optionally may be substituted on the ring by hydroxy, C_1-C_8alkoxy, carboxy or C_1-C_8alkoxycarbonyl;

or R^3 and R^4 form together with the nitrogen and carbon atoms to which they are attached a 5 to 10 membered heterocyclic ring and comprising additionally 1, 2 or 3 heteroatoms selected from N, O and S;

or each of R^1, R^2 and R^3, independently, is halogen; halo-C_1-C_8alkyl; C_1-C_8alkoxy; halo-C_1-C_8alkoxy; hydroxyC_1-C_8alkoxy; C_1-C_8alkoxyC_1-C_8alkoxy; aryl; arylC_1-C_8alkoxy; heteroaryl; heteroaryl-C_1-C_4alkyl; 5 to 10 membered heterocyclic ring; nitro; carboxy; C_2-C_8alkoxycarbonyl; C_2-C_8alkylcarbonyl; -N(C_1-C_8alkyl)C(O) C_1-C_8alkyl; -N(R^{10})R^{11}; -CON(R^{10})R^{11}; -SO_2N(R^{10})R^{11}; or –C_1-C_4-alkylene-SO_2N(R^{10})R^{11}; wherein each of R^{10} and R^{11} independently is hydrogen; hydroxy; C_1-C_8alkyl; C_2-C_8alkenyl; C_3-C_8cycloalkyl; C_3-C_8cycloallyl-C_1-C_8alkyl; C_1-C_8alkoxyC_1-C_8alkyl; hydroxyC_1-C_8alkoxyC_1-C_8alkyl; hydroxyC_1-C_8alkyl; (C_1-C_8alkyl)-carbonyl; arylC_1-C_8alkyl which optionally may be substituted on the ring by hydroxy, C_1-C_8alkoxy, carboxy or C_2-C_8alkoxycarbonyl; or 5 to membered heterocyclic ring;

or R^1 and R^2 form together with the C-atoms to which they are attached aryl or a 5 to 10 membered heteroaryl residue comprising one or two heteroatoms selected from N, O and S; or

each of R^5 and R^6 independently is hydrogen; halogen; cyano; C_1-C_8alkyl; halo-C_1-C_8alkyl; C_2-C_8alkenyl; C_2-C_8alkynyl; C_3-C_8cycloalkyl; C_3-C_8cycloalkylC_1-C_8alkyl; C_5-C_{10}arylC_1-C_8alkyl;

each of R^7, R^8 and R^9 is independently hydrogen; hydroxy; C_1-C_8alkyl; C_2-C_8alkenyl; halo-C_1-C_8alkyl; C_1-C_8alkoxy; C_3-C_8cycloalkyl; C_3-C_8cycloalkylC_1-C_8alkyl; arylC_1-C_8alkyl; -Y-R^{12} wherein Y is a direct bond or O and R^{12} is a substituted or unsubstituted 5, 6 or 7 membered heterocyclic ring comprising 1, 2 or 3 heteroatoms selected from N, O and S; carboxy; (C_1-C_8alkoxy)-carbonyl; -N(C_1-$_8$alkyl)-CO-N$R^{10}R^{11}$; -CON$R^{10}R^{11}$; -N(R^{10})(R^{11}); -SO_2N(R^{10})R^{11}; R^7 and R^8 or R^8 and R^9, respectively form together with the carbon atoms to which they are attached, a 5 or 6 membered heteroaryl comprising 1, 2 or 3 heteroatoms selected from N, O and S; or a 5 or 6 membered carbocyclic ring.

in free form or salt form~~;~~

~~for the preparation of a medicament for the treatment of a hematological and neoplastic disease~~.

6. (currently amended): A ~~use~~ method according to claim 5 wherein at most one of R^1, R^2 or R^3 is -CON(R^{10})R^{11}; or -SO_2N(R^{10})R^{11}.

~~3~~7. (currently amended) A ~~use~~ method according to claim 5 wherein the condition is a proliferative disease.

48. (currently amended) A ~~use~~ method according to claim 5 wherein a gene fusion containing ALK is inhibited.